

COURSE OUTLINE

**Administration of Justice 120
Legal Aspects of Evidence**

I. Catalog Statement

Administration of Justice 120 is concerning the origin, development, philosophy, and constitutional and procedural considerations affecting arrest, search, and seizure; kinds and degrees of evidence and rules governing admissibility; judicial decisions interpreting individual rights and case studies.

Total Lecture Units: 3.0

Total Course Units: 3.0

Total Lecture Hours: 48.0

Total Faculty Contact Hours: 48.0

Prerequisite: Administration of Justice 101 or equivalent.

II. Course Entry Expectations

Skill level ranges: Reading 5; Writing 5; Listening/Speaking 5; Math 1.

III. Course Exit Standards

Upon successful completion of required coursework, the student will be able to:

1. gain conceptual knowledge of the rules of evidence, legal definitions, and concepts of evidentiary law as measured through objective tests to the satisfaction of the instructor;
2. evaluate the various kinds of evidence and will demonstrate this ability by writing short answer essay papers concerning its social viability and its admissibility in court;
3. relate legally admissible evidence to a criminal violation by the successful completion of oral and written examinations;
4. prepare legal briefs to the satisfaction of the instructor, to demonstrate deductive insights from the analysis of a legal rule.

IV. Course Content

Total Faculty Contact Hours: 48

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| A. Origin, development and philosophy of rules of evidence | 3 hours |
| 1. Terminology and definitions | |
| 2. Importance of the rules of evidence to law enforcement | |
| 3. Applicability of civil evidence to criminal actions | |
| B. Rules of evidence | 5 hours |
| 1. Relevancy, materiality, competency | |

2. Effect of evidence
 3. Kinds of evidence
 4. Degrees of evidence
 - a. Primary
 - b. Secondary
 - c. Direct
 5. Indirect evidence
 6. Chain of custody procedures
- C. Presumptions and inferences 3 hours
1. Rebuttable or disputable
 2. Conclusive presumptions
- D. Character or reputation 6 hours
1. Credibility and impeachment of witnesses
 2. Testifying in court
 3. General principles of testimony
 4. Observation and recollection
 5. Leading questions
- E. Proof of other acts and offenses 6 hours
1. Admissibility
 - a. Irrelevancy
 - b. Deft
 - c. Not connected with other act
 - d. Part of resgestae
 - e. Conviction of other crime
 2. Common or general plan or scheme
 3. Other factors
 - a. Handwriting
 - b. Identity of perpetrator
 - c. Intent
 - d. Knowledge
 - e. Motive
 - f. Possession of means to commit crime
- F. Hearsay evidence 5 hours
1. Definition
 2. Admissibility dependence on purpose of evidence
 3. Presence of defendant
 4. Self serving declaration of defendant
 5. Hearsay in sustaining conviction
- G. Res Gestae. Statements, admissions, confessions 7 hours
1. Definitions
 - a. Circumstances of the offense
 - b. Condition of victim
 - c. Connected crimes
 - d. Declarations

- (1) as part of res gestae
- (2) after the offense
- (3) after act
- (4) of pain and suffering
- (5) declarations prior to offense
- (6) at time of act
- e. Acts following the crime
- 2. Admissions
 - a. Privileged communications
 - b. Privilege against self-incrimination
 - c. Against interest
 - d. Confession elements
 - e. Advantages
- H. Conspiracy 4 hours
 - 1. Proof of
 - a. Acts and declarations of conspirators
 - b. Object accomplished
- I. Documentary and best and secondary evidence 5 hours
 - 1. Statute definitions
 - a. Rule limited to writings
 - b. Lost or out of state
 - 2. Books and records
 - 3. Part of res gestae
 - 4. In the course of business
 - 5. Uniform business records
- J. Opinion testimony 5 hours
 - 1. Admissibility rules
 - a. Non expert
 - b. Permissibility
 - c. Proof of age
 - d. Appearance

V. Methods of Instruction

The following instructional methodologies may be used in the course:

- 1. lecture;
- 2. multimedia;
- 3. demonstrations;
- 4. film simulations;
- 5. individual and group projects.

VI. Out of Class Assignments

The following out of class assignments may be used in the course:

1. critically evaluate and apply the rules of evidence to specific case facts in an essay;
2. write a case analysis term paper: student will research a recent case and evaluate the evidence across all inquiries.

VII. Methods of Evaluation

The following methods of evaluation may be used in the course:

1. quizzes;
2. mid-term examination;
3. essays and term papers;
4. final examination.

VIII. Textbook

Hails, Judy. *Criminal Evidence [7th Edition]*. Belmont: Wadsworth Publishing, 2011.
10th Grade Reading Level ISBN: 9781111346935

IX. Student Learning Outcomes

1. Student will be able to have conceptual knowledge of the rules of evidence, legal definitions, and concepts of evidentiary law.
2. Student will be able to evaluate various kinds of evidence and be able to identify its social viability and admissibility in court.
3. Student will be able to relate legally admissible evidence to a criminal violation.
4. Student will be able to prepare legal briefs to demonstrate deductive insights from the analysis of a legal rule.